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| Notice of Allowability | Application No. | Applicant(s) | |
| | 10/782,606 | FARINELLA ET AL. | |
| | Examiner | Art Unit | |
| | Sean Kayes | 2841 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/2/2007.
2. ☒ The allowed claim(s) is/are 1,3,5-8,10,12-15,24-28 and 33-36.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date <u>9/12/2005</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Atkins on 2/15/2007.

The application has been amended as follows:

2. Please amend claim 10 to read:

A bookmark having a substrate portion and a header portion integral with the substrate portion, the header portion comprising:

a time display having two digits for a first time readout and two digits for a second time readout;

a control panel having a plurality of control buttons for starting time and stopping time and reversing counting direction;

an electronic timer including,

(a) an oscillator for generating a clock signal,

(b) a timer receiving the clock signal to count elapsed time, the timer being configurable to track incremental times and cumulative times,

(c) a memory circuit coupled to the timer for storing the incremental and cumulative times,

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(d) a control interface having an input coupled to the control panel on the header and an output coupled to the timer, wherein the control interface receives commands to start time and stop time and reverse counting direction,

(e) an audible alarm coupled to the timer for announcing a time sequence,

(f) a display interface having an input coupled to the timer and an output coupled to the time display on the header,

(g) a sensor responsive to light conditions to start and stop the electronic time circuit; and

a wireless communication interface coupled to the electronic timer for downloading the incremental and cumulative times from the memory circuit

3. Please amend claim 33 to read:

A marking device for marking a book and tracking reading time, comprising:

a bookmark having an interior housing;

an electronic timer circuit disposed within the interior housing of the bookmark for counting a count value, the electronic timer being configurable to track

incremental times and cumulative times for each of a plurality of individual readers and for each of a plurality of books for each of the plurality of individual readers, the electronic timer circuit including,

(a) an oscillator for generating a clock signal,

(b) a timer receiving the clock signal to count elapsed time,

(c) a memory circuit coupled to the timer for storing the incremental and cumulative times and calendar date and time of reading sessions for each of the plurality of individual readers,

(d) a control interface having an input and having an output coupled to the timer,

(e) a display interface having an input coupled to the timer, and

(f) a sensor responsive to light conditions to start and stop the electronic timer circuit;

a control panel disposed on the bookmark for controlling the electronic timer, the control panel having a plurality of control buttons coupled to the input of the control interface for starting time and stopping time and reversing counting direction; and

a time display disposed on the bookmark and electrically coupled to an output of the display interface of the electronic timer for displaying the count value, the time display having two digits for a first time readout and two digits for a second time readout.

Allowable Subject Matter

4. The following is an examiner's statement of reasons for allowance: The prior art does not disclose or suggest the claimed "a sensor responsive to light conditions to start and stop the electronic timer circuit" in combination with the remaining claim elements as set forth in claim 1, 10, 24, and 33.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should

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preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Kayes whose telephone number is (571) 272-8931. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bradley Paula can be reached on (571) 272-2800. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SK
2/15/2007


Vit Miska
Primary Examiner